VIA FACSIMILE 703-872-9306

Remarks

The Office Action mailed October 20, 2004 has been carefully reviewed and the following remarks are made in consequence thereof.

Claims 1-11, 13-38, 40-75 and 79-81 are now pending in this application. Claims 1-75 and 79-81 stand rejected. Claims 12 and 39 have been canceled without prejudice, waiver, or disclaimer. Claims 1, 19, 27, 28, 46, 55, 64, 67, 68, and 81 have been amended. No new matter has been added.

The rejection of Claims 1-75 and 79-81 under 35 U.S.C. § 103(a) as being unpatentable over Customer support system (circuitcity.com) in view of Rasansky et al. (U.S. Patent No. 5,960,406), is respectfully traversed.

Customer support system describes a system for providing customer support related to product services and repairs. In the system, if a user brings the user's purchase receipt when the user bring his/her product in for service, Circuit City can confirm the user's coverage easily (page 1, section 2). In the system, if the user has lost his/her receipt but gave his/her name and address or phone number during purchase, Circuit City can track down the user's original purchase date and ticket number to determine the user's coverage (page 1, section 3). In the system, if the user is in his/her first year of warranty, the user may be covered by an on-site warranty of a manufacturer (page 1, section 4). If the manufacturer does not provide an on-site warranty and the user is still in his/her first year of ownership, the user may bring his/her computer to any local Circuit City store for in or out of warranty repairs (page 1, section 4). Computer Support Plus Policy (CSP) begins during a second year of ownership since most computers are covered during the first year (page 1, section 5). If there is a repair during the first year, the user should be covered by the manufacturer's warranty (page 22, section 3). After the first year, the user is covered by CSP and can call (800)-371-5000 to set up a repair appointment (page 22, section 3). Only computers not covered for on-site service during

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the first year should be brought in to a local Circuit City store for repair (page 1, section 5 – page 2, section 1). Should the user need to reach the manufacturer, phone numbers and web links should help the user find the manufacturer (page 3, section 1). The system includes commonly asked questions including a first question that states if Circuit City can help if the user does not have his/her receipt but thinks that he/she is covered by a warranty (page 22, section 2). An answer to the first question includes if the user provided Circuit City with his/her address and telephone number at the time of purchase, Circuit City can loop up in their computer system to determine if the user is covered (page 22, section 2). A second one of the commonly asked questions includes if the user who has purchased a 3 year Extended Service Policy but has lost his/her paperwork is covered (page 22, section 2). An answer to the second question includes that Circuit City can look up in their computer system if the user provided his/her address and phone number at the time of purchase to see when coverage of the user begins and ends (page 22, section 22).

Rasansky et al. describe systems and methods that are particularly useful in communicating over the Internet or World Wide Web, assisted by email, since they do not require a client to contain any special software that is uniquely suited to only a particular task, but rather operate through standard HTML text as displayed in a standard web browser (column 2, lines 26-32). The systems allow each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium (column 2, lines 32-36). No user ever sees the private calendar of another, yet messages and invitations sent to other users show up in both calendars (column 2, lines 36-38).

Claim 1 recites a method of enabling scheduling of a service call in a computing environment, the method including "obtaining product information regarding a product from a user of the computing environment; determining, by a first computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; and automatically

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providing to the user, from whom the product information is obtained, at least one available appointment for scheduling a service call based on the product information and on said determination made by the first computing unit, wherein said automatically providing includes providing without interaction between the user and any other human being."

Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest a method of enabling scheduling of a service call as recited in Claim 1. Specifically, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest determining, by a first computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and automatically providing to the user, from whom the product information is obtained, at least one available appointment for scheduling a service call based on the product information and on the determination made by the first computing unit, where the automatically providing includes providing without interaction between the user and any other human being. Rather, Customer Support System describes confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further describes tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also describes calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also describes bringing to a local Circuit City store for repair computers not covered for on-site service during the first year. Customer Support System further describes looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her address and telephone number at the time of purchase. Customer Support System describes looking up, by Circuit City, their computer system to

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see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. describe allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Accordingly, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest determining, by a first computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and automatically providing at least one available appointment for scheduling a service call based on the determination made by the first computing unit. For the reasons set forth above, Claim 1 is submitted to be patentable over Customer Support System in view of Rasansky et al.

Claim 12 has been canceled. Claims 2-11, 13-18, 73, and 79-81 depend from independent Claim 1. When the recitations of Claims 2-11, 13-18, 73, and 79-81 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-11, 13-18, 73, and 79-81 likewise are patentable over Customer Support System in view of Rasansky et al.

Claim 19 recites a method of enabling scheduling of a service call for repair of a home appliance in a computing environment, the method including "obtaining product information regarding a product at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network; determining, by the second computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; and automatically providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information and based on said determination made by the second computing unit, wherein said automatically providing includes providing without interaction between the user and any other human being."

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Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest a method of enabling scheduling of a service call as recited in Claim 19. Specifically, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest determining, by the second computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and automatically providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information and based on the determination made by the second computing unit, where the automatically providing includes providing without interaction between the user and any other human being. Rather, Customer Support System describes confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further describes tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also describes calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also describes bringing to a local Circuit City store for repair computers not covered for on-site service during the first year. Customer Support System further describes looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her address and telephone number at the time of purchase. Customer Support System describes looking up, by Circuit City, their computer system to see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. describe allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Accordingly, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or

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suggest determining, by the second computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and automatically providing from the first computing unit to the user at least one available appointment for scheduling a service call based on the determination made by the second computing unit. For the reasons set forth above, Claim 19 is submitted to be patentable over Customer Support System in view of Rasansky et al.

Claims 20-27 and 74 depend from independent Claim 19. When the recitations of Claims 20-27 and 74 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claims 20-27 and 74 likewise are patentable over Customer Support System in view of Rasansky et al.

Claim 28 recites a system for enabling scheduling of a service call in a computing environment, the system including "at least one processor adapted to obtain product information regarding a product from a user of the computing environment; and said at least one processor adapted to: determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; and provide to the user, from whom the product information is obtained, at least one available appointment for scheduling a service call, wherein the at least one available appointment is based on the product information and on the determination made by said at least one processor."

Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest a system for enabling scheduling of a service call as recited in Claim 28. Specifically, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest at least one processor adapted to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and provide to the user, from whom the product information is obtained, at least one available appointment for scheduling a service call, where the at least one available appointment is based on the product information and on

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the determination made by the at least one processor. Rather, Customer Support System describes confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further describes tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also describes calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also describes bringing to a local Circuit City store for repair computers not covered for on-site service during the first year. Customer Support System further describes looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her address and telephone number at the time of purchase. Customer Support System describes looking up, by Circuit City, their computer system to see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. describe allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Accordingly, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest at least one processor adapted to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and provide to the user, from whom the product information is obtained, at least one available appointment based on the determination made by the at least one processor. For the reasons set forth above, Claim 28 is submitted to be patentable over Customer Support System in view of Rasansky et al.

Claim 39 has been canceled. Claims 29-38, 40-45, and 75 depend from independent Claim 28. When the recitations of Claims 29-38, 40-45, and 75 are considered in combination with the recitations of Claim 28, Applicants submit that

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dependent Claims 29-38, 40-45, and 75 likewise are patentable over Customer Support System in view of Rasansky et al.

Claim 46 recites a system for enabling scheduling of a service call for repair of a home appliance in a computing environment, the system including "means for obtaining product information regarding a product at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network, wherein said first computing unit includes a web browser, is configured to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; and means for providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information and the determination made by said first computing unit, wherein the means for providing provides without interaction between the user and any other human being."

Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest a system for enabling scheduling of a service call as recited in Claim 46. Specifically, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest the first computing unit includes a web browser, is configured to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and means for providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information and the determination made by the first computing unit, where the means for providing provides without interaction between the user and any other human being. Rather, Customer Support System describes confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further describes tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's

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coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also describes calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also describes bringing to a local Circuit City store for repair computers not covered for on-site service during the first year. Customer Support System further describes looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her address and telephone number at the time of purchase. Customer Support System describes looking up, by Circuit City, their computer system to see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. describe allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Accordingly, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest the first computing unit that is configured to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and means for providing from the first computing unit to the user at least one available appointment for scheduling a service call based on the determination made by the first computing unit. For the reasons set forth above, Claim 46 is submitted to be patentable over Customer Support System in view of Rasansky et al.

Claims 47-54 depend from independent Claim 46. When the recitations of Claims 47-54 are considered in combination with the recitations of Claim 46, Applicants submit that dependent Claims 47-54 likewise are patentable over Customer Support System in view of Rasansky et al.

Claim 55 recites at least one program storage device readable by a machine, tangibly embodying at least one program of instructions executable by the machine to perform a method of enabling scheduling a service call, the method including "obtaining

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product information regarding a product from a user; determining, by the machine, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; and automatically providing to the user, from whom the product information is obtained, a plurality of available appointments for scheduling a service call based on the product information and said determination made by the machine, wherein said automatically providing includes providing without interaction between the user and any other human being."

Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest a method of enabling scheduling a service call as recited in Claim 55. Specifically, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest determining, by the machine, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and automatically providing to the user, from whom the product information is obtained, a plurality of available appointments for scheduling a service call based on the product information and the determination made by the machine, where the automatically providing includes providing without interaction between the user and any other human being. Rather, Customer Support System describes confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further describes tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also describes calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also describes bringing to a local Circuit City store for repair computers not covered for on-site service during the first year. Customer Support System further describes looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her

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address and telephone number at the time of purchase. Customer Support System describes looking up, by Circuit City, their computer system to see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. describe allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Accordingly, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest determining, by the machine, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and automatically providing to the user a plurality of available appointments for scheduling a service call based on the determination made by the machine. For the reasons set forth above, Claim 55 is submitted to be patentable over Customer Support System in view of Rasansky et al.

Claims 56-63 depend from independent Claim 55. When the recitations of Claims 56-63 are considered in combination with the recitations of Claim 55, Applicants submit that dependent Claims 56-63 likewise is patentable over Customer Support System in view of Rasansky et al.

Claim 64 recites an article of manufacture including "at least one computer usable medium having computer readable program code means embodied therein for causing a scheduling of a service call for repair of a home appliance, the computer readable program code means in said article of manufacture comprising: computer readable program code means for causing a computer to obtain product information regarding a product at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network; computer readable program code means for causing a computer to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; and computer readable program code means for causing a computer to provide from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for

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scheduling a service call based on the product information and the determination made by the computer readable program code means for causing a computer to determine whether the product is serviced by the manufacturer of the product or the service provider different than the manufacturer."

Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest an article of manufacture as recited in Claim 64. Specifically, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest computer readable program code means for causing a computer to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and computer readable program code means for causing a computer to provide from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information and the determination made by the computer readable program code means for causing a computer to determine whether the product is serviced by the manufacturer of the product or the service provider different than the manufacturer. Rather, Customer Support System describes confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further describes tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also describes calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also describes bringing to a local Circuit City store for repair computers not covered for on-site service during the first year. Customer Support System further describes looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her address and telephone number at the time of purchase. Customer Support System

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describes looking up, by Circuit City, their computer system to see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. describe allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Accordingly, neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest computer readable program code means for causing a computer to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer, and computer readable program code means for causing a computer to provide at least one available appointment for scheduling a service call based on the determination made by the computer readable program code means for causing a computer to determine whether the product is serviced by the manufacturer of the product or the service provider. For the reasons set forth above, Claim 64 is submitted to be patentable over Customer Support System in view of Rasansky et al.

Claims 65-72 depend from independent Claim 64. When the recitations of Claims 65-72 are considered in combination with the recitations of Claim 64, Applicants submit that dependent Claims 65-72 likewise is patentable over Customer Support System in view of Rasansky et al.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-75 and 79-81 be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejection of Claims 1-75 and 79-81 is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Customer Support System nor Rasansky et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to

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one skilled in the art to combine Customer Support System with Rasansky et al. because there is no motivation to combine the references suggested in the cited art itself.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. ·Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Customer Support System teaches confirming, by Circuit City, a user's coverage easily if the user brings the user's purchase receipt. Customer Support System further teaches tracking down, by Circuit City, the user's original purchase date and ticket number to determine the user's coverage if the user has lost his/her receipt but gave his/her name and address or phone number during purchase. If there is a repair during the first year, the user should be covered by the manufacturer's warranty. Customer Support System also teaches calling, by the user covered by CSP, (800)-371-5000 to set up a repair appointment after the first year. Customer Support System also teaches bringing to a local Circuit City store for repair computers not covered for on-site service during the
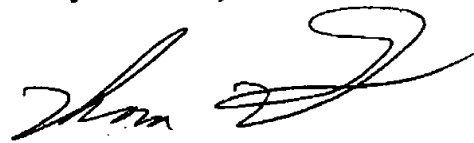
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first year. Customer Support System further teaches looking up, by Circuit City, their computer system, to determine whether the user is covered if the user provided Circuit City with his/her address and telephone number at the time of purchase. Customer Support System describes looking up, by Circuit City, their computer system to see when coverage of the user begins and ends, if the user provided his/her address and phone number at the time of purchase. Rasansky et al. teach allowing each end user to possess a unique private calendar that communicates with other private and unique calendars of other end users across a transport medium. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 1-75 and 79-81 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejections of Claims 1-75 and 79-81 under 35 U.S.C. 103(a) be withdrawn.

In view of the foregoing remarks, this application is believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

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